

REMARKS

Claims 1 through 14 are currently pending in the application.

Claims 8 through 14 are newly added in this amendment.

This amendment is in response to the Office Action of September 10, 2004.

Preliminary Amendment

Applicant notes the filing of a Preliminary Amendment on May 17, 2004, which filing was not acknowledged in the outstanding Office Action. Should the Preliminary Amendment have failed to have been entered in the Office file, Applicant will provide a true copy to the Examiner.

Double Patenting Rejection Based on U.S. Patent 6,747,327

Claims 1 through 7 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 7 of U.S. Patent 6,747,327. In order to avoid further expenses and time delay, Applicant elects to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicant's filing of the terminal disclaimer should not be construed as acquiescence in the Examiner's double patenting or obviousness-type double patenting rejections. Attached are the terminal disclaimer and accompanying fee.

Applicant submits that claims 1 through 14 are clearly allowable.

Applicant requests the allowance of claims 1 through 14 and the case passed for issue.

Respectfully submitted,



James R. Duzan
Registration No. 28,393
Attorney for Applicant
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: December 10, 2004

JRD/dlm:dlh

Document in ProLaw